

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

GOLDEN BETHUNE-HILL,
et al.,

Plaintiffs,

v.

Civil Action No. 3:14cv852

VIRGINIA STATE BOARD OF
ELECTIONS, et al.,

Defendants.

ORDER

The Court having been informed that the Plaintiffs do not consent to the MOTION OF ONEVIRGINIA2021 FOR LEAVE TO FILE A STATEMENT OF POSITION AS *AMICUS CURIAE* (ECF No. 144); and it appearing that the substantive issue (the constitutionality of redistricting intended to establish or maintain partisan advantage for a political party) raised in the proposed STATEMENT OF POSITION OF ONEVIRGINIA2021 AS *AMICUS CURIAE* (ECF No. 145) is not raised in the Complaint (ECF No. 1), the Amended Complaint (ECF No. 68), or either Answer (ECF Nos. 27 and 31), it is hereby ORDERED that:

(A) By May 1, 2017, OneVirginia2021, the Defendants and the Intervenor-Defendants shall file Statements of Position explaining (1) whether the substantive issue raised in the proposed STATEMENT OF POSITION OF ONEVIRGINIA2021 AS *AMICUS*

CURIAE (ECF No. 145) is presented by the pleadings in this action, and (2) if that issue is not presented by the pleadings, how, if at all, can it be considered in these proceedings on remand; and

(B) By May 8, 2017, the Plaintiffs shall file a response to the MOTION OF ONEVIRGINIA2021 FOR LEAVE TO FILE A STATEMENT OF POSITION AS *AMICUS CURIAE* (ECF No. 144) and therein shall address the position taken by OneVirginia2021, the Defendants, and the Intervenor-Defendants in response to paragraph (A) above.

It is so ORDERED.

_____/s/ REP_____
Robert E. Payne
Senior United States District Judge
For the Court

Richmond, Virginia
Date: April 21, 2017